

REMARKS/ARGUMENTS

The Office Action of February 13, 2009, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1, 2 4-8, 10, 12-14 and 21 have been amended. Claims 23 and 24 have been added. No new matter has been added. Claims 1-14 and 21-24 remain pending in this instant application.

Claim Rejection under 35 U.S.C. § 102

Claims 1-8 and 11-13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Watson et al. (U.S. Patent No. 7,213,143, hereinafter “Watson”). Applicants traverse.

Claim 1 recites, *inter alia*,
receiving a stream of messages at a communication intermediary, the stream
including two *independently* compressed types of messages.

However, Watson fails to teach or suggest such a feature. For example, Watson fails to describe receiving two independently compressed types of messages. At best, Watson describes compressing one SIP message wherein the SIP message includes a header and a body. See e.g., FIG. 4. Notably, FIG. 4 does not teach or suggest that the header and body are independently compressed. Therefore, even if the SIP message were analogous to the claimed stream of messages, the SIP message is only a single message, and not two independently compressed types of messages, as claimed.

Claims 7 and 12 recite features similar to claim 1 and are distinguishable from Watson for reasons similar to those discussed above with respect to claim 1.

Claims 2-6, 8-9, 11 and 13 ultimately depend on claims 1, 7 and 12 are distinguishable from Watson for at least the same reason as their base claims, and in further view of the novel and advantageous features recited therein.

For example, amended claim 2 recites, among other features, wherein the control messages comprise a multiplex identifier for indicating the multiplexing of the control message and the user message. Notably, the special byte-code in the first SIGCOMP message contains instructions to decompress the message of Watson, wholly distinct from indicating the multiplexing of the control message and the user message as recited in claim 2. As such, claim 2 is independently distinct from Watson. Claims 8 and 13 recite similar features as claim 2 and therefore, are also independently distinct from Watson for this additional reason.

Claim Rejection under 35 U.S.C. § 103

Claims 10 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Watson in view of Nessett et al. (U.S. Patent No. 6,421,734, hereinafter “Nessett”). Applicant respectfully traverses.

Claims 10 and 14 ultimately depend on claims 7 and 12, respectively. Applicant respectfully submits that Nessett fails to cure the deficiency of Watson with respect to claims 7 and 12. As such, even assuming but not conceding that a combination of Watson and Nessett is proper, such a combination fails to result in teaching or suggesting each and every feature of claims 7 and 12. As such, by virtue of their dependency on base claims 7 and 12, claims 10 and 14 are allowable for at least the same reasons as claims 7 and 12, and in further view of their advantageous features recited therein.

New Claims

Claims 23 and 24 have been added. No new matter has been added. Support for claims 23 and 24 is found at least in paragraph 31 of the originally-filed specification, among other portions. Claims 23 and 24 are allowable at least based on their dependency on claim 1, in addition to the advantageous features recited therein.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: May 11, 2009

By: /Rick H. Lin/
Rick H. Lin
Registration No. 61,933

1100 13th Street, N.W., Suite 1200
Washington, D.C. 20005-4051
Tel: (202) 824-3000
Fax: (202) 824-3001